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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,665	09/28/2001	Yasuhiko Kida	32739M063	3558

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EXAMINER
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DULANEY, BENJAMIN O

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 10/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/964,665	KIDA, YASUHIKO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Benjamin O. Dulaney	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/28/01</u> , <u>9/29/04</u> | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 3, and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,813,038 by Kadowaki.

Regarding claim 1, Kadowaki teaches an image forming device comprising: an image forming section for forming an image corresponding to image data on a recording sheet (Column 4, lines 18-29); a storing section capable of storing and accumulating a plurality of jobs including image data of one or a plurality of images (Column 3, lines 47-52; Figure 1, 10); a job combination instructing section for arbitrarily selecting a combination of jobs from among the jobs accumulated in the storing section and instructing to combine the selected plurality of jobs (Column 14, lines 14-31); and an image formation control means for reading out the jobs that have been designated to be combined by the job combination instructing section from the storing section and giving them to the image forming section (Column 14, lines 14-31).

Regarding claim 2, Kadowaki teaches an image forming device according to claim 1, further comprising: an image scanning section for scanning an image of a

document; and job storage control means for writing image data of a series of documents that have been sequentially fed to the image scanning section in the storing section as one job (Column 13, lines 37-53).

Regarding claim 3, Kadowaki teaches an image forming device according to claim 2, further comprising: an automatic document feeder for automatically feeding one or a plurality of document sheets to the image scanning section, wherein the job storage control means write image data of a series of document sheets that have been set in the automatic document feeder and automatically fed to the image scanning section in the storing section as one job (Column 3, line 63 – Column 4, line 3).

Regarding claim 4, Kadowaki teaches an image forming device according to claim 1, wherein the storing section stores data of each of the jobs, the data including image data of the job and page count data of images constituting the job (Column 3, lines 47-52; Figure 1, 10).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kadowaki as applied to claim 1 and 4 above, and further in view of U.S. Patent 5,731,879 by Maniwa et al.

Regarding claim 5, Kadowaki does not teach the image forming device according to claim 4, further comprising breakpoint page processing means for calculating breakpoint page data representing locations of partitions between the jobs based on the page count data stored in the storing section when combination of a plurality of jobs is instructed by the job combination instructing section.

Maniwa does teach the image forming device according to claim 4, further comprising breakpoint page processing means for calculating breakpoint page data representing locations of partitions between the jobs based on the page count data stored in the storing section when combination of a plurality of jobs is instructed by the job combination instructing section (Column 15, lines 1-21).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kadowaki by Maniwa to clearly mark breakpoints between jobs and to keep track of the number of pages processed.

Regarding claim 6, Kadowaki does not teach the image forming device according to claim 5, further comprising: an inter-sheet mode designating section for designating an inter-sheet mode for inserting an inter-sheet for partitioning the jobs between groups of one or a plurality of recording sheets corresponding to the respective jobs; and an inter-sheet inserting mechanism for inserting an inter-sheet between the groups of recording sheets corresponding to the respective jobs based on the breakpoint page data calculated by the breakpoint page data processing means.

Maniwa does teach the image forming device according to claim 5, further comprising: an inter-sheet mode designating section for designating an inter-sheet mode for inserting an inter-sheet for partitioning the jobs between groups of one or a plurality of recording sheets corresponding to the respective jobs; and an inter-sheet inserting mechanism for inserting an inter-sheet between the groups of recording sheets corresponding to the respective jobs based on the breakpoint page data calculated by the breakpoint page data processing means (Column 15, lines 1-9).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kadowaki by Maniwa to clearly mark the separation of print jobs.

Regarding claim 7, Kadowaki does not teach the image forming device according to claim 5, further comprising: a chapter mode designating section for designating a chapter mode for chaptering processing groups of one or a plurality of recording sheets corresponding to the respective jobs so as to divide the jobs into chapters for partitioning the jobs, and a chapter partitioning mechanism for partitioning the groups of recording sheets into chapters of the respective jobs based on the breakpoint page data calculated by the breakpoint page data processing means.

Maniwa does teach the image forming device according to claim 5, further comprising: a chapter mode designating section for designating a chapter mode for chaptering processing groups of one or a plurality of recording sheets corresponding to the respective jobs so as to divide the jobs into chapters for partitioning the jobs, and a

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chapter partitioning mechanism for partitioning the groups of recording sheets into chapters of the respective jobs based on the breakpoint page data calculated by the breakpoint page data processing means (Column 15, lines 1-9).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kadowaki by Maniwa to be able to clearly partition a print job with separation sheets.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin O. Dulaney whose telephone number is (571) 272-2874. The examiner can normally be reached on Monday - Friday (9am - 6pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Benjamin O. Dulaney  
PRIMARY EXAMINER